

PLEASE RECORD AND RETURN TO:
Susan J. Blackston, City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

DOC # 2005-135427

06/06/2005 10:27A Fee:NC

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Recorded in Official Records

County of San Joaquin

GARY W. FREEMAN

Assessor-Recorder-County Clerk

Paid by SHOWN ON DOCUMENT

RESOLUTION NO. 2005-113



A RESOLUTION OF THE LODI CITY COUNCIL VACATING
AND ABANDONING A PUBLIC UTILITY EASEMENT
LOCATED AT 2024 KETTLEMAN LANE, LODI,
CALIFORNIA (APN 058-160-91)

=====

WHEREAS, in 1982, an easement was dedicated for public purposes over the west five feet of Lot 59 of "Lakeshore Village, Unit No. 1," located at 2024 Kettleman Lane (APN 058-160-91), Lodi, more particularly described as follows:

The West 5 feet of Lot 59, Lakeshore Village, Unit No. 1, as filed for record May 28, 1981, Volume 25, Page 111, San Joaquin County Records.

WHEREAS, the easement was needed for the installation of underground electrical utility lines; and

WHEREAS, the owner of 2024 Kettleman Lane has requested the relocation of the electrical utility facilities and abandonment of the five-foot public utility easement to allow construction of the proposed 19-lot "Mills Crossing" Phase II subdivision on the site; and

WHEREAS, City of Lodi Electric Utility Department has approved the abandonment of the five-foot public utility easement on condition that a new six-foot public utility easement be dedicated in conjunction with the proposed "Mills Crossing" Phase II Subdivision; and

WHEREAS, the current property owner has agreed to dedicate a new six-foot public utility easement in conjunction with the proposed "Mills Crossing" Phase II Subdivision; and

WHEREAS, such easement has been superseded by relocation and there are no other public facilities located within the easement; and

WHEREAS, the Streets and Highways Code of the State of California, Sections 8330 and 8333, provide that the legislative body of a local agency may summarily vacate a public service easement if the easement has been superseded by relocation and there are no other public facilities located within the easement; and

WHEREAS, pursuant to the requirements of Government Code Section 27288.1, the name of the owner of the title or interest of 2024 Kettleman Lane as it appeared at the time and in the document creating the interest, right, or encumbrance is as follows:

Grupe Communities, Inc., a California Corporation

WHEREAS, in accordance with Streets and Highways Code Section 8300 et. seq., it is the desire of the City Council of the City of Lodi to vacate such easement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi as follows:

1) That the public utility easement, located at 2024 Kettleman Lane (APN 058-160-91), Lodi, California, as dedicated for public purposes (installation of underground electrical utility lines) over the west five feet of Lot 59 of "Lakeshore Village, Unit No. 1," as filed for record May 28, 1981, Volume 25, Page 111, San Joaquin County Records, is hereby vacated and abandoned.

2) That a condition of this Easement Abandonment is that a new six-foot public utility easement be dedicated in conjunction with the proposed "Mills Crossing" Phase II Subdivision.

3) That the property owners will be responsible to pay for the relocation of the electrical utility facilities.

4) That from and after the date this resolution is recorded, such easement will no longer constitute a public easement.

Dated: June 1, 2005


I hereby certify that Resolution No. 2005-113 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 1, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk

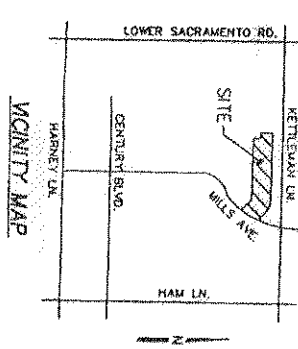
(Seal of the City of Lodi, California, Incorporated 1869, with text 'FOUNDED 1869' and 'INCORPORATED 1869' visible in the background)



CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT A



5' PUE

TO BE ABANDONED

LOT 59

APN 058 160 91

1441
S. MILLS

PHASE I

PHASE II

MILLS CROSSING

" LAKESHORE VILLAGE UNIT NO. 1 "

MILLS AVENUE

KETTLEMAN LANE